

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**CYNTHIA GILLETTE, Individually and
Derivatively on behalf of nominal defendant
BLIMPIE OF CALIFORNIA, INC.**

Plaintiff,

07 Civ. 4697 (CLB)

-against-

**JEFFREY ENDERVELT, BELLE
ENDERVELT and DORA RICCI,**

Defendants,

**NOTICE OF MOTION
FOR SANCTIONS
PURSUANT TO RULE 11
OF THE FEDERAL RULES
OF CIVIL PROCEDURE**

**BLIMPIE OF CALIFORNIA, INC.,
Nominal Defendant**

Counselors:

Please take notice that the Defendants, upon the Affidavit of Jeffrey Endervelt, dated September 19, 2007, and the Declaration of Steven T. Sledzik, Esq., dated September 20, 2007, submitted herewith, and the exhibits annexed thereto, will, at the United State Courthouse, 300 Quarropas Street, City of White Plains on October 12, 2007, 9:30 a.m., or as soon thereafter as the Court will hear counsel, move for an order imposing sanctions upon the Plaintiffs and their counsel, pursuant to the Federal Rules of Civil Procedure Rule 11, together with reasonable attorneys' fees and expenses and such other and further relief as this Court shall deem just and proper.

Dated: Scarsdale, New York
September 20, 2007

JONES GARNEAU, LLP

By: 

Steven T. Sledzik (STS 8869)
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